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Attorneys for CMRE Financial Services, Inc.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DESIREE KELLISON,)	Case No.:
)	
Plaintiff,)	NOTICE OF REMOVAL OF ACTION
vs.)	UNDER 28 U.S.C. § 1441(a)
)	[FEDERAL QUESTION]
CMRE FINANCIAL SERVICES, INC.,)	
)	
Defendant.)	
)	
)	
)	

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE THAT defendant CMRE Financial Services, Inc. ("CMRE") hereby removes to this Court the state court action described below.

1. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be removed to this

1 Court by defendant pursuant to the provisions of 28 U.S.C. § 1441(a) in that it
2 arises under the Telephone Consumer Protection Act, 47 U.S.C. § 227.
3

4 2. On or about April 27, 2017, the action was commenced by Plaintiff
5 Desiree Kellison (“Plaintiff”) in the Superior Court of the State of California,
6 County of San Bernardino, captioned, *Desiree Kellison vs. CMRE Financial*
7 *Servivces and DOES 1-10, inclusive*, Case No. CIVDS1707895 (the “State Court
8 Action”). A copy of the Summons and Complaint (“Complaint”) is attached hereto
9 as Exhibit A.
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12 3. District courts have federal question jurisdiction over “all civil actions
13 arising under the Constitution, laws or treaties of the United States.” 28 U.S.C. §
14 1331. This Court has jurisdiction under 28 U.S.C. § 1331 because Plaintiff’s claim
15 arises under the laws of the United States. Further, this Court may exercise
16 supplemental jurisdiction of any related state law claims pursuant to 28 U.S.C. §
17 1367.
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21 4. CMRE was served with a copy of the Complaint on June 14, 2017.
22 Thus, pursuant to 28 U.S.C. § 1446(b), CMRE has timely filed this Notice of
23 Removal within thirty days.
24

25 5. A copy of this Notice of Removal is being served upon Plaintiff and
26 will be filed in the State Court Action.
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28

1 6. The State Court Action is located within the Central District of
2 California. Therefore, venue for purposes of removal is proper because the United
3 States District Court for the Central District of California embraces the place in
4 which the removed action was pending. 28 U.S.C. § 1441(a).
5

6
7 7. Removal of the State Court Action is therefore proper under 28 U.S.C.
8 §§ 1441 and 1446.
9

10 Dated: 7/13/17

SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.P.

11 /s/Debbie P. Kirkpatrick

12 Debbie P. Kirkpatrick

13 Attorneys for Defendant

14 CMRE Financial Services, Inc.
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